

STATEMENT OF PURPOSE

RS20878

This legislation strengthens Idaho's existing anti-bullying laws by ensuring that districts, schools and school personnel have a role in preventing and intervening in bullying should it occur.

At present Idaho's anti-bullying law is solely punitive, providing that an offense "may" be an infraction. Under the proposed legislation, standard language relating to the commission of an infraction is added, removing the "may" so that, should charges be filed by a school parent or other individual, this language appropriately allows the courts to determine whether an individual student has in fact violated the provisions of this section of law.

This legislation ensures that Idaho's law also applies to minors present on school property or at school activities who may not currently be students.

Most importantly, the second section of the legislation specifies a role for schools in informing staff, parents and students through student hand books and other means that bullying is prohibited and to convey to students, staff and parents what constitutes bullying and to further ensure all are aware of school district policy.

It is the intent of this legislation to make it clear that school personnel are authorized and expected to intervene whenever they see incidents of bullying in order to further prevent harm and ensure all parties recognize bullying, harassment and intimidation when it occurs. Also the legislation provides for inclusion of anti-bullying content in existing district, teacher and staff trainings and orientations to help staff recognize and become familiar with the most effective ways to intervene should any of the many types of bullying occur.

It is the intent of this legislation to ensure that schools create their own policies to ensure an array of options are available as consequences for students who commit acts of harassment, intimidation or bullying. These interventions may include notification of parents, counseling, assignment to community service, suspension, use of the infraction penalty, and for related more serious charges, assignment to specialty courts or student courts as well as other options districts may designate. Additionally, the legislation intends that schools designate who bullying incidents are to be reported to and ensures that all districts continue to report to the state annually any incidents of bullying that may have occurred.

FISCAL NOTE

It is anticipated that this legislation will not increase the cost to the State's General Fund as it is expected that the statute will be carried out within the existing framework of the State Department of Education and In-Service Trainings that occur in the school districts.

Contact:

Name: Kim Kane

Office: Suicide Prevention Action Network of Idaho (SPAN)

Phone: (208) 860-1703